



The State of New Hampshire  
**DEPARTMENT OF ENVIRONMENTAL SERVICES**



**Thomas S. Burack, Commissioner**

February 6, 2007

The Honorable Judith Spang, Chairman  
Resources, Recreation and Development Committee  
Legislative Office Building, Room 305  
Concord, New Hampshire 03301

**Re: HB 318, relative to large groundwater withdrawal permitting**

Dear Chairman Spang:

Thank you for the opportunity to comment on HB 318, relative to large groundwater withdrawals. HB 318 proposes to redefine "large groundwater withdrawal" to mean a withdrawal from a single well of 57,600 gallons or more in any 24-hour period, rather than from all wells, at a single property or place of business. The Department of Environmental Services (DES) opposes this bill.

Currently, state law requires that any entity developing groundwater withdrawals that exceed 57,600 gallons over any 24 hour period at a single property or place of business obtain a large groundwater withdrawal permit from DES. In order to obtain a permit, the applicant must demonstrate that unmitigated adverse impacts to other water users or water resources will not occur as a result of the proposed new large groundwater withdrawal. Also, there are substantial public participation requirements for consideration of these applications.

HB 318 proposes to change the existing law to require a large groundwater withdrawal permit only if a single well exceeds the 57,600 gallons threshold for permitting rather than the cumulative withdrawal from multiple wells at a single property or place of business. As a result, the volume of water withdrawn from multiple wells could be substantially greater than the current 57,600 gallons permitting threshold but would not trigger a permit requirement. The cumulative hydrologic impacts to off site water users and water resources from multiple low volume withdrawals could be as significant as the impacts from a single well pumping at the same total withdrawal rate. Therefore, HB 318 would provide the potential for greater unmitigated adverse impacts at properties with multiple wells as compared with what the impacts would be under the existing statutes, thus weakening the protections provided under the current law.

Thank you for this opportunity to comment on this bill. Please feel free to call me at 271-3503, or Brandon Kernen at 271-0660, if you have any questions or need additional information.

Very truly yours,

Thomas S. Burack  
Commissioner

cc: Representative Camm